

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION
JULY 2019 SESSION

JULIA E. SUDLEY, CLERK
BY: 
DEPUTY CLERK

COUNT ONE

The Grand Jury charges:

1. That on or about May 8, 2019, in the Western Judicial District of Virginia, the defendant, CARLOS DEMONTAE SPENCER, did knowingly and intentionally possess with the intent to distribute a measurable quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.
2. All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWO

The Grand Jury further charges:

1. That on or about May 8, 2019, in the Western Judicial District of Virginia, the defendant, CARLOS DEMONTAE SPENCER, knowingly possessed a firearm, to wit a Ruger .380 caliber pistol, in furtherance of a drug trafficking crime for which he may be

prosecuted in a court of the United States, as set forth in Count One of this Indictment.

2. All in violation of Title 18, United States Code, Section 924(c).

COUNT THREE

The Grand Jury further charges:

1. On or about May 8, 2019, in the Western Judicial District of Virginia, the defendant, CARLOS DEMONTAE SPENCER, knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, to wit a Ruger .380 caliber pistol, which had previously been shipped and transported in interstate or foreign commerce.
2. All in violation of Title 18, United States Code, Section 922(g)(1),

NOTICE OF FORFEITURE

1. Upon conviction of one or more of the felony offenses alleged in this Indictment, the defendants shall forfeit to the United States:
 - a. any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offenses, pursuant to 21 U.S.C. § 853(a)(1).
 - b. any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said offenses, pursuant to 21 U.S.C. § 853(a)(2).
 - c. any firearm used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances and/or raw materials, as described in 21 U.S.C. § 881(a)(1) and (2), and any proceeds traceable to such property, pursuant to 21 U.S.C. § 881(a)(11) and 28 U.S.C. § 2461(c).
 - d. any firearms and ammunition involved or used in the commission of

said offenses, or possessed in violation thereof, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

2. The property to be forfeited to the United States includes but is not limited to the following property:

a. **Firearms**

- 1) A Ruger, model LCP, .380 caliber pistol, SN: 37585076
- 2) All ammunition, magazines, and accessories associated with this firearm

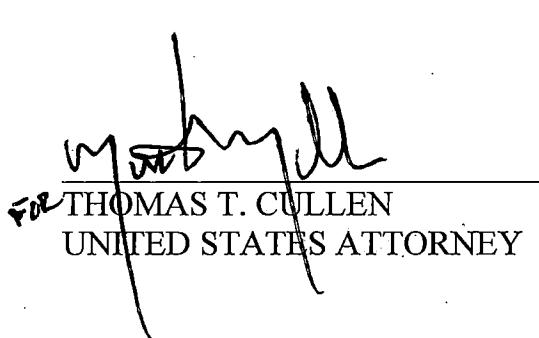
3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL this 11th day of July, 2019.

/s/Foreperson
FOREPERSON


THOMAS T. CULLEN
UNITED STATES ATTORNEY